

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CHEVETTE D. CURRY,**

**Defendant.**

**No. 09-30129-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Defendant Curry's Motion to Continue Sentencing (Doc. 17). Defendant asks that the sentencing hearing currently scheduled for November 12, 2010 be continued until December as Defendant is scheduled for oral surgery on November 30, 2010 and is scheduled for x-rays with her neurosurgeon on November 8, 2010 and additional physical therapy. The Government has filed a response to the motion, arguing that the dental procedure is not a valid basis for continuance as the recovery time is low and could be remedied by allowing Defendant to self-report following her recuperative period. The Government, however, did note that it was sensitive of Defendant's neurosurgery but would need additional details regarding her prognosis before determining whether it supported an additional continuance.

However, the Court finds that a continuance is not warranted under these circumstances. Defendant has already been granted three continuances due

to her neurosurgery and physical therapy. The Court originally granted Defendant's continuance from the original sentencing date of April 16, 2010 due to her scheduled procedure for a chronic spinal condition (Doc. 12). Further, the Court granted Defendant an additional continuance for additional follow-up operations that were required (Doc. 14). On September 8, 2010, Defendant sought a third continuance for continued rehabilitation after her spinal surgery which the Court granted (Docs. 15 & 16). The Court finds that a fourth continuance is not warranted as the Court will take the issue of additional rehabilitation and physical therapy under consideration in deciding whether Defendant should be allowed to voluntarily surrender. Accordingly, the Court **DENIES** Defendant's motion to continue sentencing (Doc. 17). The Court reminds the parties that sentencing hearing is currently set for **November 12, 2010 at 10:00 a.m.**

**IT IS SO ORDERED.**

Signed this 2nd day of November, 2010.

*David R. Herndon*



David R. Herndon  
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**Chief Judge  
United States District Court**